

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

STEPHEN KERSHNAR,

Plaintiff,

v.

STEPHEN H. KOLISON, JR, *et al.*,

Defendants.

Case No.: 1:23-cv-00525-LJV

PLAINTIFF'S WITNESS LIST

Plaintiff Stephen Kershner respectfully submits the following list of witnesses he may call at the evidentiary hearing scheduled to commence on September 13, 2023. Depending on the evidence presented on behalf of the Defendants, Plaintiff expects to call the following witnesses:

1. J.A. "Tony" Olivo, an expert on security. Olivo is a former member of the United States Marshals Service elite Special Operations Group and hostage negotiator. He has extensive experience in working with school districts to provide risk management. Plaintiff anticipates that Olivo will testify in rebuttal to testimony and evidence offered by Defendants, with respect to the options available to mitigate any legitimate public safety concerns.

2. John K. Wilson, Ph.D., an expert on academic freedom. Wilson has a doctoral degree from Illinois State University, where his dissertation addressed the history of academic freedom in the United States. Wilson was a 2019-2020 fellow of the University of California's National Center for Free Speech and Civic Engagement and frequently writes on matters involving freedom of expression and academic

freedom in higher education. Plaintiff anticipates that Wilson will testify in rebuttal to testimony and evidence offered by Defendants, with respect to how the heckler's veto poses risks to expressive freedom and how universities respond to threats to faculty members and other controversial speakers in ways that protect academic and expressive freedom.

Dated: August 28, 2023

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Respectfully submitted,

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